

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

CLERK'S OFFICE  
U.S. DISTRICT COURT  
AT ROANOKE, VA  
FILED  
January 23, 2025  
LAURA A. AUSTIN, CLERK  
BY: s/ M.Poff, Deputy Clerk

**UNITED STATES OF AMERICA**

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) Case No. 7:08CR00041-003

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)

) **OPINION AND ORDER**

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) JUDGE JAMES P. JONES

)

Defendant.)

v.

**ROBERT DWAYNE EARLY,**

)

*Jonathan Jones, Assistant United States Attorney, Roanoke, Virginia, for United States; Robert Dwayne Early, Pro Se.*

Defendant Robert Dwayne Early has filed a pro se motion for compassionate release. Early was sentenced by the late United States District Judge Glen E. Conrad on August 20, 2009, for conspiracy to distribute 100 grams or more of heroin, in violation of 21 U.S.C. § 846; and three counts of distribution of heroin, in violation of 21 U.S.C. § 841(a)(1). Early was sentenced to 324 months of imprisonment on each count, to run concurrently. J., ECF No. 315. He contends that a change in law, the COVID-19 pandemic, a memorandum issued by the United States Attorney General, and a report by the United States Sentencing Commission all require his release.

On January 17, 2025, President Biden commuted the defendant's sentence of imprisonment to expire on July 16, 2025. ECF No. 610. With the President's

commutation, I find that no further reduction would be appropriate even if there were sufficient grounds for compassionate release.

Accordingly, it is **ORDERED** that the defendant's motion, ECF No. 594, is DENIED.

ENTER: January 23, 2025

/s/ JAMES P. JONES  
Senior United States District Judge